

1 S.217

2 Introduced by Senator Flory

3 Referred to Committee on

4 Date:

5 Subject: Public health; adoptions

6 Statement of purpose of bill as introduced: This bill proposes to 1) require the
7 development of appropriate protocols to provide options counseling for
8 patients who have given birth to opioid-exposed infants; 2) direct the
9 Department for Children and Families to consider placement with independent,
10 State-licensed adoption agencies in its case planning; and 3) allow children
11 placed with independent, State-licensed adoption agencies access to post-
12 adoption contact agreements.

13 An act relating to the role of independent, State-licensed adoption agencies
14 in CHINS proceedings

15 It is hereby enacted by the General Assembly of the State of Vermont:

16 Sec. 1. PROVIDING OPTIONS COUNSELING FOR MOTHERS OF
17 INFANTS WITH PRENATAL OPIATE EXPOSURE;
18 COMMISSIONER OF HEALTH; COMMISSIONER FOR
19 CHILDREN AND FAMILIES

1 The Commissioner of Health, in consultation with the Commissioner for
2 Children and Families, shall convene stakeholders to develop appropriate
3 protocols to:

4 (1) Coordinate access to recovery supports.

5 (2) Provide legal counseling to patients who have given birth to an
6 infant with prenatal opiate exposure regarding temporary placement options for
7 the infant. Such counseling shall be consistent with evidence-informed best
8 practices for counseling patients with addiction disorders.

9 Sec. 2. 33 V.S.A. § 5121 is amended to read:

10 § 5121. CASE PLANNING PROCESS

11 The Department shall actively engage families, and solicit and integrate into
12 the case plan the input of the child, the child's family, relatives, and other
13 persons with a significant relationship to the child. Whenever possible,
14 parents, guardians, and custodians shall participate in the development of the
15 case plan. When formulating a case plan, the Department shall also consider
16 placement with an independent, State-licensed adoption agency providing
17 interim care.

18 Sec. 3. 33 V.S.A. § 5124 is amended to read:

19 § 5124. POSTADOPTION CONTACT AGREEMENTS

20 (a) Either or both parents and each intended adoptive parent may enter into
21 a postadoption contact agreement regarding communication or contact between

1 either or both parents and the child after the finalization of an adoption by the
2 intended adoptive parent or parents who are parties to the agreement. Such an
3 agreement may be entered into if:

4 (1) the child is in the custody of:

5 (A) the Department for Children and Families; ~~or~~

6 (B) a nonparent pursuant to subdivision 5318(a)(2) or (a)(7), or
7 subdivision 5232(b)(2) or (b)(3) of this title; or

8 (C) an independent, State-licensed adoption agency;

9 (2) an order terminating parental rights has not yet been entered; and

10 (3) either or both parents agree to a voluntary termination of parental
11 rights, including an agreement in a case which began as an involuntary
12 termination of parental rights.

13 * * *

14 Sec. 4. EFFECTIVE DATE

15 This act shall take effect on July 1, 2018.